

# TANINTHARYI PUBLIC ENGAGEMENT

Another Development ;

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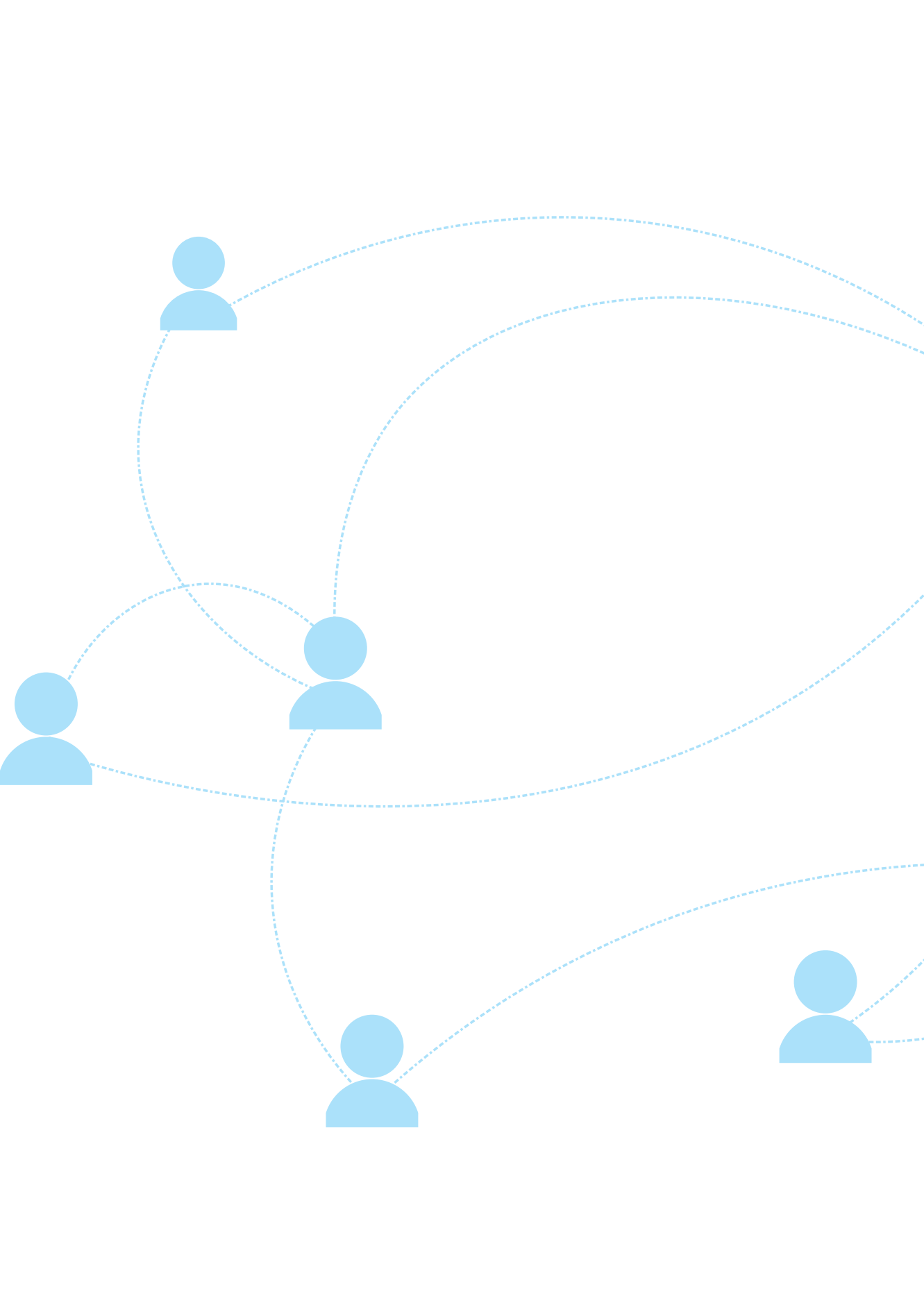
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# ENGAGING THE PUBLIC IN TANINTHARYI REGION:

**Policy options for  
better engagement**

NAN KHINE CHO CHO THIN AND YAY CHANN  
DECEMBER 2020





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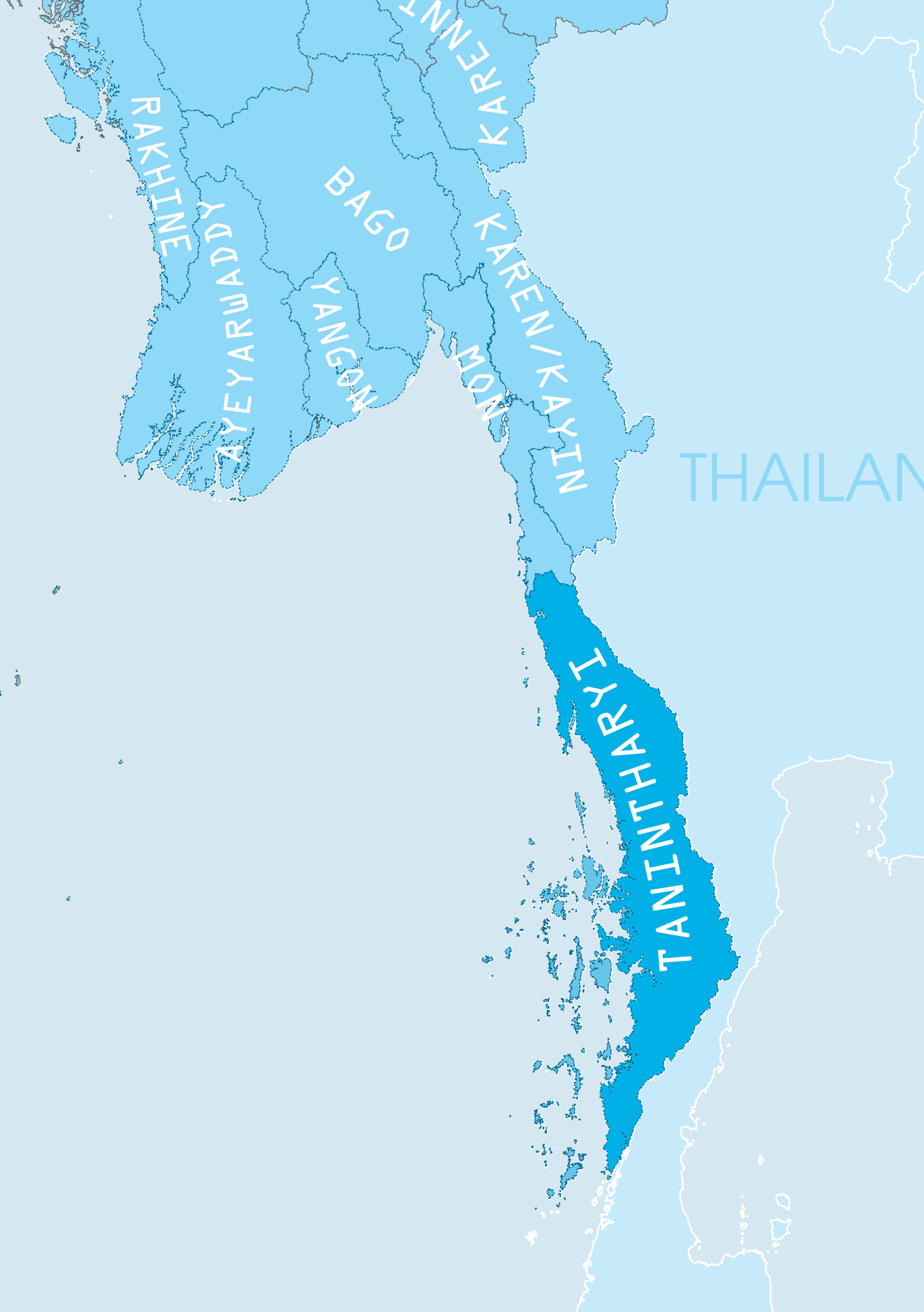
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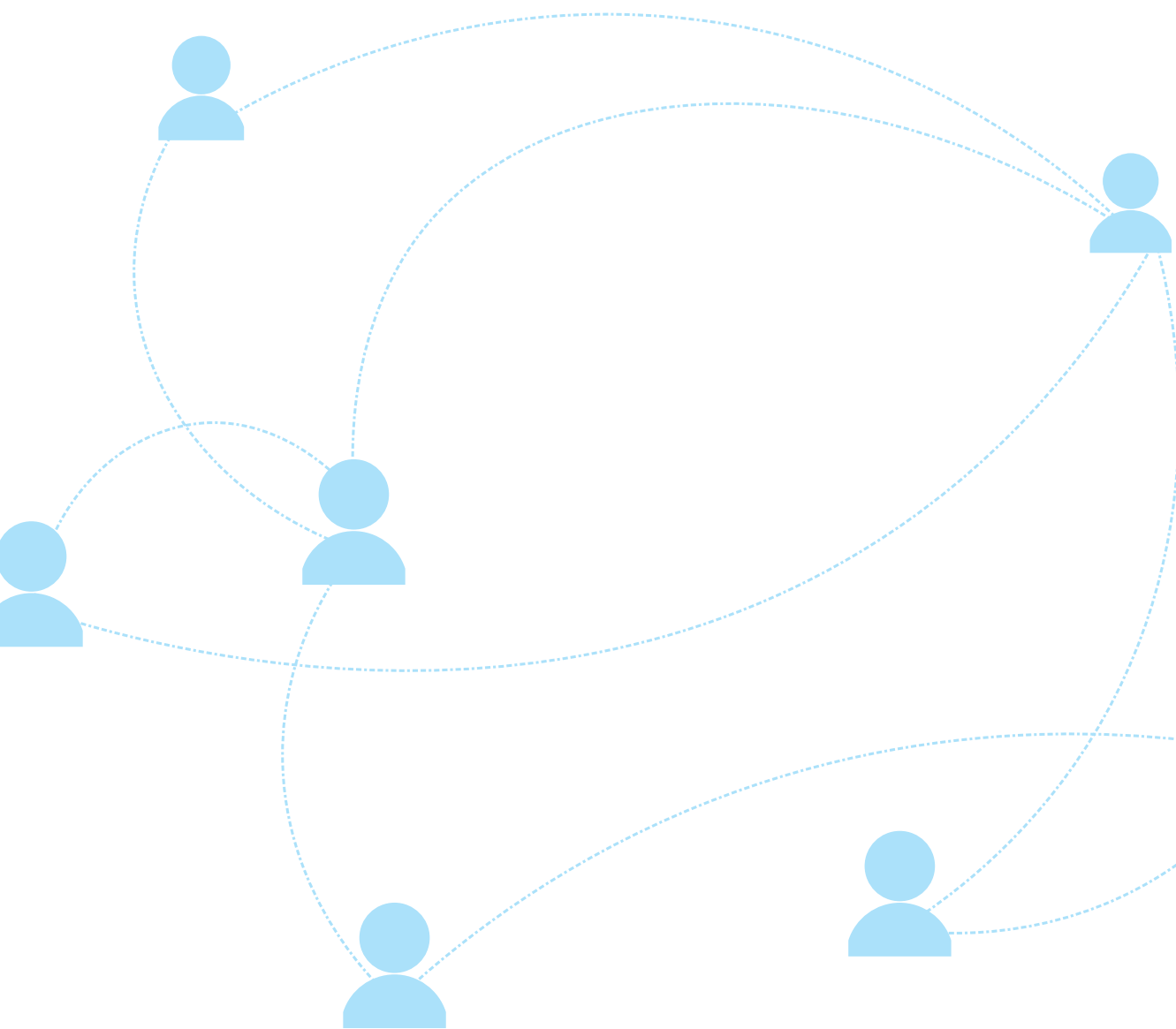
# Executive Summary

Public engagement can be seen as a condition for effective governance as it enhances transparency and accountability and also builds civic capacity; it can help, under the right conditions, the local government achieve improved development results. Despite the positive improvements of public engagement in Tanintharyi Region, this paper finds that, there remain challenges for the region to having a meaningful and inclusive engagement; these include **structural, perceptual and capacity challenges**.

This paper is based on findings of online surveys, the previous workshops and report of Another Development (AD), as well as meetings with different stakeholders plus a review of secondary data. In this paper, AD sets out a vision for a more meaningful public engagement in Tanintharyi Region and outlines such policy opportunities to improve and strengthen it as:

- Public engagement strategy should be developed; it includes public communication plan and public consultation procedures and guidelines.
- Public engagement practices such as public meeting practices, press release, and feedback and reply sessions, as well as taking part in public affairs should be considered.
- The capacity and development needs related to public engagement should be properly assessed, and public servants could then be trained, based on the assessment, in it.
- The roles of the region government in different sectors should be clarified and expanded to better engage with the public.
- Multilevel-coordination – vertical and horizontal coordination – (and policy integration) need to be strengthened in the region.
- Public engagement should be an integral part of the policymaking process in the region: undertaking meaningful public engagement in all the policy process (and service delivery) of the region.





# Introduction

Working closely with Tanintharyi government, AD (Another Development) has seen public engagement activities/public outreach initiatives, including participatory budgeting through community consultations, public meetings run by the region government across villages and townships, and frequent public consultations by Tanintharyi government and Hluttaw committees. The COVID-19 pandemic has also prompted the government to engage more actively with local CSOs (Civil Society Organizations) as well as to share information and work in partnership on the response. These all can be called positive developments in the region. However, such kinds of development still need to be improved and strengthened, as there remain challenges to having a meaningful and inclusive public engagement in Tanintharyi Region.

This paper is based on the findings of interviews, online surveys, AD's previous workshops, and meetings with different stakeholders plus AD's previous report, and a review of secondary data. The report analyses this evidence and sets out possible policy options to strengthen engagement with the public including civil society organizations. AD had initially planned to conduct a workshop with the government staff, MPs (members of parliament) and local CSOs from the region to understand challenges regarding public engagement, due to the COVID-19 pandemic, however, research has been conducted through online surveys, face to face and phone interviews. Survey questionnaires were distributed to MPs, government staff, and local CSOs; (24) participants in total took part in it.

## **This policy paper is presented with four sections:**

- 1) why public engagement is important;**
- 2) the background of Tanintharyi Region; and**
- 3) public engagement challenges of the region, which are identified into three parts – institutional, perceptual, and capacity challenges;**
- 4) conclusions as well as the policy considerations to overcome these challenges are then provided.**

## I Previous Work

Another Development (AD) has been, since 2018, engaging with the Tanintharyi Region government to improve decentralized and democratic governance in the region. First, AD has worked in the region to assist government staff, MPs, and CSOs in addressing their self-identified capacity needs and issues. Working with them, AD developed a handbook called **“Informing and Engaging the Public: Local Governance and Empowering Communities in Karen State and Tanintharyi Region”** to address the above identified issues. Second, as per request from Tanintharyi Region parliament, a practical guidebook related to **“Broadening Public Participation in Policymaking”** was developed for regional MPs of Tanintharyi to help them engage better with the public.

As the next step, in this paper, AD sets out a vision for a more meaningful public engagement in the Tanintharyi Region and outlines policy opportunities to improve and strengthen it. This paper therefore aims in part to strengthen decentralized and inclusive governance in the region through having more meaningful and inclusive engagement with the public including civil society groups. This, moreover, will help stakeholders to understand the importance of public engagement in the public policy process (and service delivery).

# Public Engagement: Why It Matters

Public engagement comes from the concept of interdependence, as government or policy makers alone cannot plan, deliver or implement the policy process. It is intended to increase participation of non-government actors, especially the public and civil society organizations, in the policy making process – ways of making policy decisions and implementing them – and service delivery. It enables the mobilization of public participation in the policy process and increases public confidence in governments or political institutions (and also democratization process of a country). In practice, public engagement is “a relatively sustained and systematic interaction between two parties” (Holmes, 2019, p.19), and it is not a single process or set of activities, but an ongoing process or conversation that builds trust and relationships (Holmes, 2011).



**In practice, public engagement is  
a relatively sustained and systematic  
interaction between two parties.**

Public engagement, on the other hand, can be said to be a characteristic of meaningful democracy. In a democratic society, people are considered as important stakeholders, and they are entitled to participate in the policy making process. Public engagement therefore plays a critical role to overcome democratic deficits (Katsonis, 2019). In other words, the reasons for public engagement in policy making can be from strengthening democratic practices, which is providing citizens with a voice in policy choices, for instance, to building institutional bridges – and trusts – between state and society – improving state and society relationships. Therefore, public engagement can be seen as a condition for effective governance as it enhances transparency and accountability and also builds civic capacity. Under the right condition, citizen engagement can help the local government achieve improved development results (ibid.).

Three components - public communication, public consultation, and public participation – are typically covered when it comes to the forms of public engagement.



Public communication means one-way communication – policy makers or respective governments deliver information to the public. It can also be seen as the availability and accessibility of relevant information for the public. In public consultation, policy makers obtain information from the public through a consultation framework or process that is initiated by themselves. It is fair to say that the public is involved in the policy process, but decisions are still in the hand of policy makers. In the case of public participation, unlike the above twos, it involves information exchange as well as some forms of dialogue (deliberative dialogue) between the public and policy makers; deliberative dialogue may later lead to change in the opinions of both parties resulting in better sustainable outcomes (Alemanno, 2015; Holmes, 2011). These three elements are critical for a meaningful and inclusive engagement so that governments or policy makers are responsive to new ideas, demands and needs of the public as well as, regardless of their social and economic status, public can access government services and information and can influence on policy decisions that – directly or indirectly – impact on them.

# Background of Tanintharyi Region

Tanintharyi Region has a favorable geographic location, and key global priority landscapes for conservation and abundant natural resources, both mineral and non-mineral (Conservation Alliance of Tanawthari, 2018). The longest coastline is located in the region with a variety of fisheries access, and sub-tropical climate further creates opportunities for the agriculture businesses. On the other hand, the region has been long suffered with ethnic conflicts for more than 60 years, and there are still mixed-authority areas where are controlled by both the government of Myanmar and Karen National Union (KNU), the ethnic insurgent group (Local network of Tanintharyi civil society, 2016). Until the time of the Nationwide Ceasefire Agreement (NCA) by KNU, various clashes happened and many local ethnic communities, particularly Karen people fled from their places (ibid.); the Internally Displaced People (IDP) and refugee issue are still unsolved.

The ceasefire agreements have created the opportunity for certain geographical political spaces to come under national government control for the first time (Woods, 2011, pp. 749). The places abandoned by the refugee and IDP are therefore occupied by the various reasons of business investment, and both the Union and Sub-national governments allocated the land without assessing the ground situation or proper consultation with any of the stakeholders including KNU in the region (Conservation Alliance of Tanawthari, 2018). It creates, for example, conflicts with the returnees who come back to their land with the arrangement of UNHCR – United Nations High Commissioner for Refugees – and development partners. At the same time, customary land is not legally recognized by the government of Myanmar, and local ethnic communities come to face challenges as they do not have a proper land title under the land registration system.

During the transition period of democratic reform in Myanmar, most of the government departments in Tanintharyi Region claimed that the region has been promoting the public engagement practices through, for example, widely consulting with different stakeholders.<sup>1</sup> It is true in such regional initiatives as participatory mining monitoring mechanism, sub-national coordination unit, and palm oil tri-party investigation/governance unit. However, the government's efforts, in some cases, have not translated well on the ground.<sup>2</sup>

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1 This is coming from interviews with civil society and media person as both chief minister and some minister expressed their activities in the media and they usually told them that they are working together with various civil societies in Tanintharyi.

2 Interview with the civil society

The DICA (Directorate of Investment and Company Administration) of Tanintharyi, for example, stated that the five-year investment promotion strategy for the region is developed through a series of consultations between public and private sector stakeholders. However, in practice, openly accessible public consultations rarely took place. Instead, consultations tended to be highly confidential with only a few international organizations and selected private sector representatives present.<sup>3</sup>

Resources have been exploited rampantly due to lack of coordination and collaboration amongst the natural resources related departments, private sectors, civil society and development partners (Nyein et.al, 2020). In 2014, for example, Tanintharyi Region enacted fishery laws, by sub-national parliamentarians, without consultation with any of the key stakeholders.<sup>4</sup> In addition, the civil society in Tanintharyi were mentioned, in most of the government interviews, as a tool to use for public engagement, however, the opposite was seen in practice. In other words, this can be translated into the needs of meaningful and inclusive public engagement in the region. The next session then reveals the key challenges of public engagement in Tanintharyi with the three main parts: structural challenges, perceptual challenges, and capacity challenges.

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<sup>3</sup> Participant observation by the AD's technical adviser

<sup>4</sup> AD's technical adviser interviewed to the author of the "Ten Years of Fisheries Governance Reforms in Myanmar (2008-2018)" and the main author, Yin Nyein confirmed that the law never had done consultation with fishermen or private sector or local civil society who are working on fishery issue and based in Tanintharyi.

# Public Engagement Challenges in Tanintharyi Region

Since the 2011 political transition, the space of public engagement between the public and the government has, to some extent, expanded in Myanmar. This includes, for example, having a more open attitude in state institutions about sharing information, increasing recognition of the role of civil society in democracy by the government, and improved awareness among the public about opportunities to participate in government's public policy process (UNDP, n.d.). This can also be added by the increased presence of MPs at the township level, their influence in decision-making, and the creating opportunities for formal engagement in the Hluttaw (The Asia Foundation, 2020).

Likewise, the same can be seen in Tanintharyi Region: public outreach initiatives such as participatory budgeting through community consultations, public meetings run by the region government across villages and townships, and frequent public consultations by Tanintharyi Hluttaw committees are found. In addition, it was revealed that stakeholders – both government and civil society groups – are positive about public engagement in the region. Government staff, for example, expressed that public engagement means having discussion and solving the problems that they are facing together (with the public). It was also added (by the government) that public engagement helps the government to better understand the needs of local people: the government can come to understand different viewpoints of people from different backgrounds, as well as public voices can be heard from the engagement. As a result, it was reported that it could narrow (and fill) the gap between the government and its citizens, and the (development) projects in the region would be in line with the needs and will of the local community.<sup>5</sup>

On the other hand, civil society groups are also constructive to public engagement. It was stated that, through public engagement, they can understand about the projects as well as the process and procedures of the government. Further, they can have opportunities to engage in the discussions and to share their ideas. It was also added that public engagement

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<sup>5</sup> Interview with government staff in Tanintharyi Region



can increase transparency, and enable to increase public confidence in the government through making sure community voices are listened to.<sup>6</sup> Given the above positive developments and perceptions of public engagement, however, there remain challenges for the Tanintharyi Region to have a meaningful and inclusive engagement with the public in the public policy process (and service delivery).

## I Structural Challenges



**It seems institutional challenges impact, if not influence, the public engagement process of the Tanintharyi government.**

The subnational government has limited power to change certain policies as decision-making power is reserved for the national government according to the country's constitution. Local people, in this case, see that their voices are not being listened to, while in fact the region government is unable to respond. When communities do not clearly understand these institutional challenges, tensions come to arise. It was reported that the public perceived they were not a part of the decision-making process. While they were involved in the public consultation meetings, they were less satisfied as they did not have decision-making powers and their views were not reflected in the final decisions taken.<sup>7</sup> For example, many issues in the region, especially land issues, are controversial, and different parties, when it comes to public consultation, are eager to weigh in on the issues. Even when they are included in discussion, citizens are often dissatisfied with the outcomes, seeing as the region government is the final decision maker, and people believe that it will not take their views into account.

Given centralized decision making, a meaningful public engagement is hardly seen in the Tanintharyi Region when it comes to development of new policies. The Tanintharyi government, but a limited number of departments, hosts a number of public consultations in order to ensure different perspectives and public voices are heard. The budget department, for example, holds public consultation about citizen budgeting each year, collaborating with members of parliament. Apart from budgeting plus law making process initiated

<sup>6</sup> Interview with civil society organizations in Tanintharyi Region

<sup>7</sup> Interview with civil society organizations in Tanintharyi Region

by MPs, however, public consultations, if not public relations, happened in development projects – SEZ (Special Economic Zone) projects, for example.<sup>8</sup> The challenge is such development projects are the union-level initiatives, and subnational governments are less involved in practice – typically, their role is in the project implementation stage. What is more, most of the public consultations are also happened based on the requirements of a project<sup>9</sup> rather than the fact that public consultation is an integral part of policy making and should be consistent and formal. This makes, in other words, the public less confident in the region government (and other political institutions), which hinders having a meaningful engagement process.

In addition to political barriers, administration challenges – horizontal and vertical coordination – would be another one that should be stressed in the region. Some government staff raised the need for the improvement of coordination (and integration) amongst and within departments, which otherwise results in limited engagement with the public as well as limited access to information from the community. Sometimes, this makes misunderstanding arise between the departments and the local people.<sup>10</sup> It was reported, on the other hand, public perceived right to information, apart from citizen budgeting, is still limited for them.<sup>11</sup>

## I Perceptual Challenges



**When it comes to the public engagement process of the region, inclusiveness is also underreported.**

It was stated that only the media, in some public engagement meetings, were allowed to ask questions as the government is concerned that local people and CSOs would not stick to the topic of the meeting.<sup>12</sup> Therefore, there were limited opportunities for CSOs and community members to have their says. It was highlighted in an interview as “only the stakeholders (i.e., project implementers or in-charge persons/prominent persons) and media have the chance to ask the questions and receive answers according to their

8 Interview with civil society organizations in Tanintharyi Region

9 Interview with civil society organizations in Tanintharyi Region

10 Interviews with government staff in Tanintharyi Region

11 Interviews with civil society organizations in Tanintharyi Region

12 Interviews with civil society organizations in Tanintharyi Region

time frame. The local people didn't have a chance to join the conversation, but just listen to the discussion".<sup>13</sup>

In addition, it can be said that low-level of public engagement – information giving – is seen in the region; it was reported that the government needs to listen closely to the local people's voices to have better community participation as it is still limited in the community level. On the other hand, it was stated there are, at present, few examples of the public being genuinely empowered to make decisions: the decision making is usually done by the department or in charge persons. It was also stressed that there are fewer opportunities to participate in the decision-making process by the local people so the implementation process is less in line with the local people's needs, and it can, sometimes, lead to the conflicts.<sup>14</sup>

It was found that transparency regarding projects (or public policy process) would be another challenge for the region. The government communicates with the public through CSOs and the community leaders, however, the information, sometimes, could not reach to the remote areas. In some cases, additionally, public consultations cover the more accessible areas which are less affected – villages where are close to urban, for example – leaving the direct ones<sup>15</sup>; sometimes, consultations are held in city hall without going to the project areas or inviting people from the project areas, which are far from the city (Dawei Watch, 2020). It was also stated local people still find it hard to access clear and accurate information about the process such as, for example, land laws or natural resources issues. They also face difficulties when it comes to the procedures and practices which are less clear and consistent.<sup>16</sup> It was revealed, on the other hand, that government officials/public service providers are not aware of their roles to engage with the public and to deliver clear information to the public. In addition, they, sometimes, deliberately provide limited information – instead of relevant, reliable and adequate information – to the public.<sup>17</sup>

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13 Interviews with civil society organizations in Tanintharyi Region

14 Interviews with civil society organizations in Tanintharyi Region

15 Interviews with civil society organizations in Tanintharyi Region

16 Interviews with civil society organizations in Tanintharyi Region

17 Consultation meeting with government staff in Tanintharyi Region

# I Capacity Challenges



**The capacity regarding public engagement is still needed to be improved in the region.**

It was expressed that the capacity of the government departments related to the public engagement process is underdeveloped.<sup>18</sup> The government, for example, faces challenges to seek a better outcome during the consultation process as the local community less discusses it.<sup>19</sup> Further, the government holds public meetings in partner with the civil society groups and other stakeholders. The public, however, could not be involved in it because of difficult transportation and information delay. In addition, the local people often could not fully engage in the discussions thanks to limited time of the meetings. What is more, limited space, budgets, and the cost of transportation of the engagement meetings also restrict certain people who are willing to join such public meetings. In some cases, for example, government officials, MPs, local CSOs, and media organizations are prioritized to attend the meetings, while excluding citizens from the important discussions.<sup>20</sup>



**The same is seen to be true, on the other hand: the public is often unfamiliar with the public policy process as well as the demanding of information to the government thanks to political and institutional culture, which has blocked public involvement in the political and policy making process.**

Moreover, the heads of villages are often in-charge/ represented with advocating to the government, on behalf of communities, and reporting back the details of the discussion to the citizens. However, many of them

<sup>18</sup> Interviews with civil society organizations in Tanintharyi Region

<sup>19</sup> Interviews with government staff in Tanintharyi Region

<sup>20</sup> Interviews with civil society organizations in Tanintharyi Region

have poor understanding of the issues at stake, and have to struggle to explain them well to the local people.<sup>21</sup>

It is fair to say, in addition, the capacity challenge is interlinked with lack of strategies and framework of the government, which can undermine to ensure a meaningful and inclusive public engagement. It was stated that the public often demands to have more opportunities for the engagement when they begin to understand more and more about the issues at hand. However, when they are not given enough time to speak at the meeting (and limited time of the whole meeting), they often become dissatisfied about the meeting.<sup>22</sup>

Additionally, it is still uncertain that the government provides meaningful access to information for the public. Lack of formal distribution of information by the government is largely the case in the region. In other words, it means access to information for the public is challenging, and communities from the remote areas are even more so. It is reported that this challenge is seen not only in rural and remote areas but also in urban settings. The information regarding public meetings, for example, reaches the public after the event is done.<sup>23</sup>

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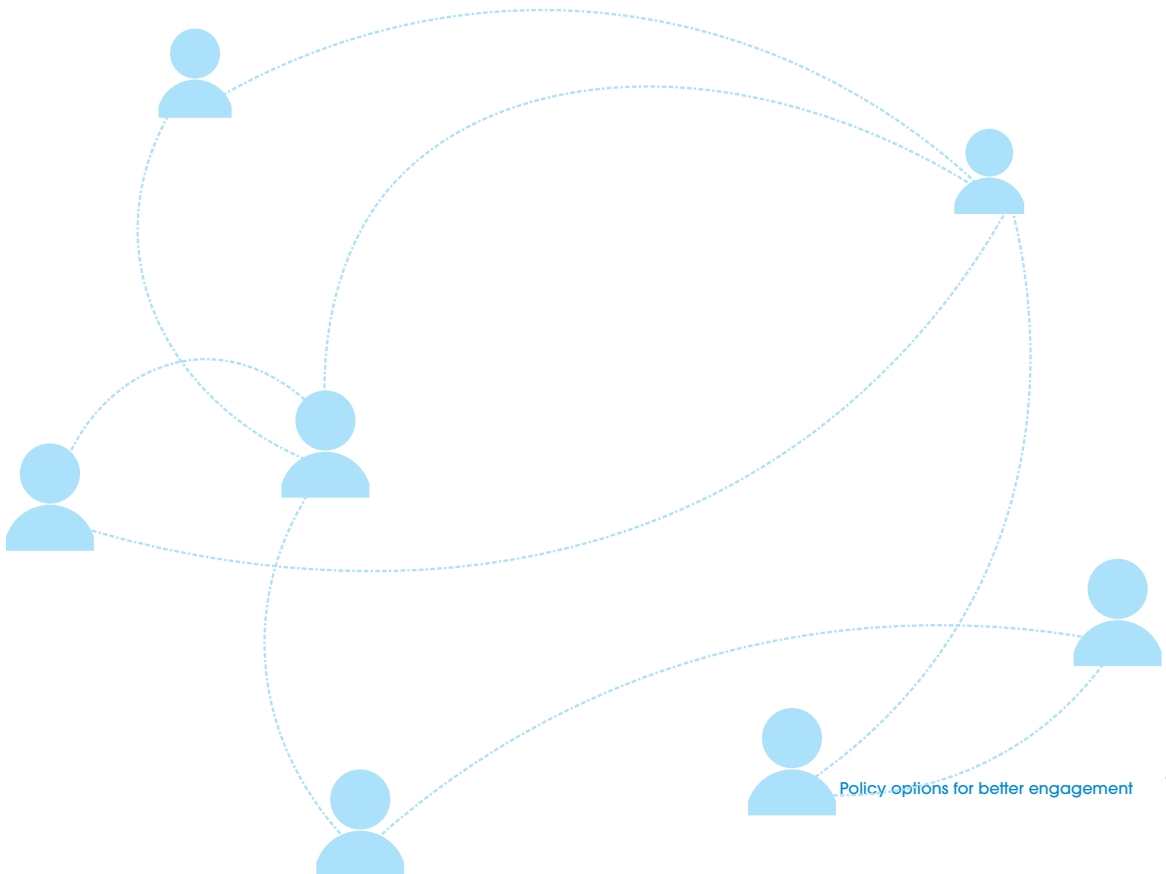
21 Interviews with civil society organizations in Tanintharyi Region

22 Interviews with civil society organizations in Tanintharyi Region

23 Interviews with civil society organizations in Tanintharyi

# Conclusion

It is clear that the government alone cannot design and implement a project or a policy process, (and service delivery). It is challenging a project or a policy process to be successful without public participation. Public engagement has therefore played a critical role to help improve relationships and build trust between the government and the public, through which, enable to increase public confidence in government and political institutions. Despite the fact that positive developments of public engagement are seen in Tanintharyi Region, there still needs to be improved and strengthened: there is much more work to be done in the region so as to improve the quality of governance of the Tanintharyi government, which promotes democratic practices in public policy making. Only the meaningful public engagement would fill the democratic deficits, which have been embedded in Myanmar over decades. To promote a meaningful public engagement calls for collaboration amongst stakeholders, including CSOs, government institutions, and local communities. More importantly, political will of the Tanintharyi government is even more required to ensure the empowerment of the public to be able to influence and take part in the decision-making process of the region.





# Policy Considerations for Meaningful and Inclusive Engagement

Given the challenges above, to strengthen public engagement in the Tanintharyi Region, the following policy options should be considered by the region government.

## **a. Clarify and expand the scope of the region government responsibilities**

The roles of the region government in different sectors should be clarified to better engage with the public. These roles should then be fully operationalized and expanded; the region government could pay particular attention to the fully decentralized institutions under its authority – Development Affairs Organizations (DAO), for example – and the other decentralized sectors under the Schedule II of the 2008 Constitution. This could, in other words, create avenues for meaningful public engagement in the region. In addition, strengthened coordination with the union government and increased involvement of the Tanintharyi government in union planning and policy development in the region would also be beneficial.

## **b. Strengthen coordination at all levels**

Multilevel-coordination – vertical and horizontal coordination – (and policy integration) need to be strengthened in the region. When it comes to union level policy making, for example, vertical coordination between the union and the region government is needed so as to ensure having sufficient time for policy development and review by the region government – as a result, practical and contextual based recommendations could then be given to the union. In addition, the union-level policies should be translated well to local levels; this is the gap that could be stressed by the region government.

On the other hand, horizontal coordination should be improved. In this case, for example, functioning the existing committees as

well as setting up new monthly departmental meetings could help to fill information gaps among agencies as well as to reduce misunderstanding among the departments. In addition, following or applying the existing guidelines or operational procedures could be another measure to reduce overlapping activities among departments, and to better serve the public demands.

### **c. Beyond the tick-box exercise**

Rather than public engagement being just a tick-box exercise, it should be an integral part of the policymaking process in the region: undertaking meaningful public engagement in all the policy process (and service delivery). It should also be a consistent, structured and formal process. This can be done by ensuring availability and accessibility of information for the public, listening to public voices and concerns, and having deliberative dialogue between government and community so as to reduce concerns of the public as well as to build trust with them. This would be, in other words, promoting the responsive and accountable government.



### **d. Improve skills and capacity for undertaking public engagement**

The capacity and development needs related to public engagement should be properly assessed, and public officers could then be trained in public engagement skills<sup>24</sup> -facilitation and mediating skills etc., for example – and the public engagement process could be integrated into their daily job. At the same time, development partners would have an important role to play in such kind of capacity related training for the government officials. Likewise, civil society organizations could play a bridging role to facilitate between government and the public, and to encourage public participation in policy processes while strengthening civic engagement.

<sup>24</sup> See practical tools to deliver effective public engagement at [anotherdevelopment.com](http://anotherdevelopment.com)





## e. Apply multiple platforms and tools to improve public engagement process

Public engagement strategy should be developed. First, it should make sure accessibility and availability of relevant and reliable information from diverse sources for the public, but also information should be clear to the public. This includes publishing all consultation in all community languages in the region, applying ICT (Information Communication Technology) platforms – Websites, Facebook, for example – as well as institutional platforms i.e., the existing platforms such as village tract administrations, local CSOs network, etc.

### **This can be followed by the communication plan, which could include:**

- Establishing local radio stations (such as FM radio) to transmit information in a timely manner and with overcoming language and literacy issues that arise with print media.
- Collaborating with a telecom company or other potential partner to initiate an SMS based communication system where short messages of laws, government programs, disaster warnings and other messages could be sent.
- Amending the current Tanintharyi government websites with more information on simplified laws and rules, a directory of officials with their contact details and availability, statistics on finances and details of the annual budget, and available services and how to use them.
- Creating a guidebook to inform the public about government's available services, how to use them, and who to contact.
- Incorporating multiple languages relevant to local contexts in each communication channel.
- Applying tools such community meetings, print media and radio as the most applicable to reach a dispersed rural public (Another Development, 2019).<sup>25</sup>

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<sup>25</sup> See case studies of communication strategies at [anotherdevelopment.com](http://anotherdevelopment.com)

Guidelines or procedures and plan for public consultations – about when and how to engage with the public should then be set up. This includes planning for public consultations for next 6 or 12 months and stakeholder mapping or analysis. Public engagement teams could also be designated within the department. More importantly, inclusiveness should be stressed when it comes to public consultation in the region to ensure public voices are heard and count them in the policy process of the region; consultation should be designed for all regardless of their social and economic status. In addition, local civil society groups should be provided a space in all public consultations.

Public engagement practices such as public/town hall meetings – monthly, for example –, regular (quarterly or yearly) press release, and feedback and reply sessions (through SMS, for example), taking part in public affairs could also be considered.<sup>26</sup> In addition, public forums or workshops, in which all departments are actively involved to respond to public questions and concerns, could be held across the region.<sup>27</sup> More importantly, it should make these engagement practices ensure the interactive dialogue/communication between the government and its citizens.



<sup>26</sup> To date, public budgeting is, for example, a good example to encourage public participation in policy process in the region

<sup>27</sup> According to AD's consultation meeting with the government, these kinds of workshops used to be done before. So, they should be reinstalled in the region.

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